

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00633

**John Hopkins,**  
*Plaintiff,*

v.


**East Texas Roof Works & Sheet Metal, LLC, et al.,**  
*Defendants.*

**ORDER**

Plaintiff John Hopkins filed this civil-rights lawsuit pursuant to the Fair Labor Standards Act, 29 U.S.C. §§ 201–219 Doc. 1. The case was referred to United States Magistrate Judge John D. Love. Doc. 4. After defendants failed to file an appearance, the clerk entered default at plaintiff’s request. Doc. 8. Plaintiff then filed a motion for default judgment. Doc. 10. At the default judgment hearing on June 10, 2024, defendant Jimmy Gordon personally appeared without counsel and indicated that he intends to defend this lawsuit. Judge Love then issued an order (Doc. 20) vacating the clerk’s entry of default and an amended report (Doc. 21) recommending that plaintiff’s motion for default judgment be denied. To date, no objections have been filed, and the time period for doing so has passed.

When no party objects to the magistrate judge’s report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge’s report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. For the reasons stated in the report, plaintiff’s motion for default judgment (Doc. 10) is denied.

*So ordered by the court on August 23, 2024.*

  
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J. CAMPBELL BARKER  
United States District Judge